



# 11

ATTORNEY DOCKET NO.: FRANK'S INT.-007:CP2

**RECEIVED**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

JAN 18 2001

**OFFICE OF PETITIONS**

IN RE APPLICATION OF: DONALD E. MOSING, ET AL.

SERIAL NO.: 09/206,876

EXAMINER: W. NEUDER

FILED: DECEMBER 08, 1998

ART UNIT: 3672

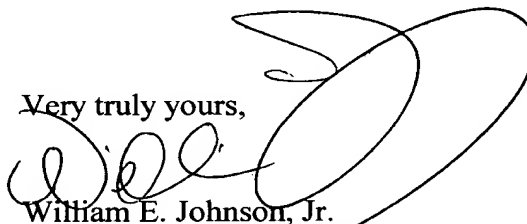
FOR: *"IMPROVED METHOD AND MULTI-PURPOSE APPARATUS FOR  
DISPENSING AND CIRCULATING FLUID IN WELLBORE CASING"*PETITION TO THE COMMISSIONER UNDER 37 C.F.R. § 1.137 (b)  
TO REVIVE ABANDONED APPLICATION

Comes now the applicants and petition the Commissioner to revive the subject application based upon the facts and the evidence set forth in the enclosed Affidavit of William E. Johnson, Jr., a patent attorney employed by The Matthews Firm in Houston, Texas, which is responsible for the filing, prosecution and maintenance of the patents and patent applications covering the intellectual property of the applicants. Enclosed herewith is a firm check in the amount of \$2,480.00 to cover the Issue Fee and the Petition Fee.

Also, please treat this letter as an instruction to change the address of the applicants to the following:

THE MATTHEWS FIRM  
1900 West Loop South, Suite 1800  
Houston, Texas 77027  
Attn: William E. Johnson, Jr.  
Telephone: 713-355-4200  
Fax: 713-355-9689

Very truly yours,



William E. Johnson, Jr.  
THE MATTHEWS FIRM  
1900 West Loop South, Suite 1800  
Houston, Texas 77027  
Telephone: 713-355-4200  
Fax: 713-355-9689

01-17-01 DAC

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**

Applicant(s): **Donald E. Mosing**

Docket No. **#11**

**Frank's Int.-007:CP2**

Serial No.

**09/206,876**

Filing Date

**12/08/98**

Examiner

**Neuder, W.**

Group Art Unit

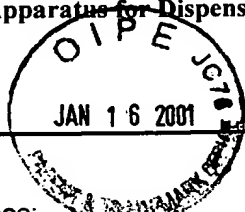
**3672**

Invention: **Improved Method & Multi-Purpose Apparatus for Dispensing & Circulating Fluid in Vapor Phase**

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**JAN 18 2001**

**OFFICE OF PETITIONS**



I hereby certify that the following correspondence:

**Transmittal Letter and all documents referenced therein.**

*(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on

**January 16, 2001**

*(Date)*

**Matt Robinson**

*(Typed or Printed Name of Person Mailing Correspondence)*

  
*(Signature of Person Mailing Correspondence)*

**EH906693790US**

*("Express Mail" Mailing Label Number)*

**Note: Each paper must have its own certificate of mailing.**

**TRANSMITTAL LETTER**  
(General - Patent Pending)

Docket No.  
Frank's Int.-007:CP2

In Re Application Of: Donald E. Mosing

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JAN 16 2001

JAN 18 2001

Serial No.  
09/206,876

Filing Date  
12/08/98

Examiner  
Neuder, W.

OFFICE OF PETITIONS  
Group Art Unit  
3672

Title: Improved Method and Multi-Purpose Apparatus for Dispensing & Circulating Fluid in Wellbore Casing

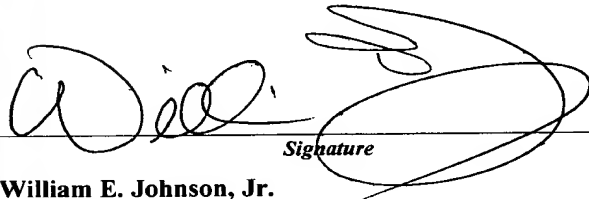
TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Transmitted herewith is:

Petition to Accept Delayed Payment of Issue Fee, Transmittal of Payment of Issue Fee, Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 C.F.R. 1.137(b), Affidavit of William E. Johnson, Jr. (Exhibits A-L included), Petition to the Commissioner Under 37 C.F.R. 1.137(b) to Revive Abandoned Application, General Transmittal, Certificate of Mailing by Express Mail, Firm check in the amount of \$2,480.00, Return Postal Card  
(PETITION / ISSUE FEE)

in the above identified application.

- ☐ No additional fee is required.
- ☒ A check in the amount of \$2,480.00 is attached.
- ☒ The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. 13-2166 as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.

  
Signature

Dated: 1/16/2001

William E. Johnson, Jr.  
Reg. # 22,719  
The Matthews Firm  
1900 West Loop South, Suite 1800  
Houston, Texas 77027  
Telephone: 713-355-4200  
Fax: 713-355-9689

I certify that this document and fee is being deposited on \_\_\_\_\_ with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Signature of Person Mailing Correspondence

Matt Robinson

Typed or Printed Name of Person Mailing Correspondence

CC:

**TRANSMITTAL OF PAYMENT OF ISSUE FEE (Large Entity)**  
**(37 C.F.R. 1.311)**

Docket No.  
Frank's Int.-007:CP2

Applicant(s): **Donald E. Mosing**

JAN 16 2001

**RECEIVED**

JAN 18 2001

Serial No.  
09/206,876

Filing Date  
12/08/98

Examiner  
Neuder, W.

Group  
3672

**OFFICE OF PETITIONS** Batch No.

Invention: **Improved Method & Multi-Purpose Apparatus for Dispensing & Circulating Fluid in Wellbore Casing**

**TO THE ASSISTANT COMMISSIONER FOR PATENTS**

**Washington, D.C. 20231**

**Attention: Box Issue Fees**

Transmitted herewith are the following for the above-identified application.

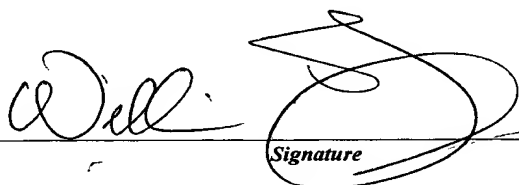
☒ Issue Fee Transmittal Form PTOL-85

☒ Utility Fee: \$ 1240.00 ☐ Design Fee: \_\_\_\_\_ ☐ Plant Fee: \_\_\_\_\_

☒ A check in the amount of \$2,480.00 is attached.

☒ The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. 13-2166  
as described below. A duplicate copy of this sheet is enclosed.

- ☐ Charge the amount of  
☒ Credit any overpayment.  
☒ Charge any additional fee required.

  
Signature

Dated: 1/16/2001

**William E. Johnson, Jr.**  
**Reg. # 22,719**  
**The Matthews Firm**  
**1900 West Loop South, Suite 1800**  
**Houston, Texas 77027**  
**Telephone: 713-355-4200**  
**Fax: 713-355-9689**

I certify that this document and fee is being deposited  
on \_\_\_\_\_ with the U.S. Postal Service as  
first class mail under 37 C.F.R. 1.8 and is addressed to the  
Assistant Commissioner for Patents, Washington, D.C.  
20231.

Signature of Person Mailing Correspondence

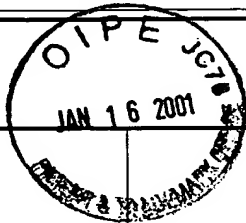
Typed or Printed Name of Person Mailing Correspondence

CC:

**Petition For Revival Of An Application For Patent Abandoned  
Unintentionally Under 37 CFR 1.137(b) (Large Entity)**

Docket No.  
Frank's Int.-007:CP2

In Re Application Of: Donald E. Mosing



Serial No.  
09/206,876

Filing Date  
12/08/98

Examiner  
Neuder, W.

Group Art Unit  
3672

Invention: Improved Method & Multi-Purpose Apparatus for Dispensing & Circulating Fluid in Wellbore Casing

**RECEIVED**

JAN 18 2001

**OFFICE OF PETITIONS**

ASSISTANT COMMISSIONER FOR PATENTS

Attention: Office of Petitions

Box DAC

Washington, D.C. 20231

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper response to a notice or action by the Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extension of time actually obtained.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee--required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. ☐ A proposed reply to the above-identified notice or action:

☐ is enclosed. ☐ was filed on \_\_\_\_\_

The proposed reply is in the form of: \_\_\_\_\_

2. ☐ The issue fee:

01/18/2001 AWONDAF1 00000100 09206876

01 FC:141

1240.00 0P

☒ is enclosed. ☐ was paid on \_\_\_\_\_

3. ☐ The abandoned application was a:

☐ design application. ☒ utility application. ☐ plant application.

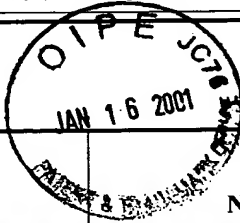
4. ☐ A terminal disclaimer (and fee) disclaiming a period equivalent to the period of abandonment is enclosed.

5. ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

**Petition For Revival Of An Application For Patent Abandoned  
Unintentionally Under 37 CFR 1.137(b) (Large Entity)**

Docket No.  
Frank's Int.-007:CP2

In Re Application Of: Donald E. Mosing



Serial No.  
09/206,876

Filing Date  
12/08/98

Examiner  
Neuder, W.

Group Art Unit  
3672

Invention: Improved Method & Multi-Purpose Apparatus for Dispensing & Circulating Fluid in Wellbore Casing

**Calculation and Payment of Fees**

Enclosed are the following fees:

6. ☒ Petition fee under 37 CFR 1.17(m) in the amount of: \$1,240.00
7. ☐ Fee for amendment in the amount of: \_\_\_\_\_
8. ☐ Fee for extension of time to respond to Office Action in the amount of: \_\_\_\_\_
9. ☒ Issue fee in the amount of: \$1,240.00
10. ☐ Continuing application filing fee in the amount of: \_\_\_\_\_
11. ☐ Terminal disclaimer fee in the amount of: \_\_\_\_\_
12. ☐ \_\_\_\_\_

Total fees enclosed: \$2,480.00

The fee of \$2,480 is to be paid as follows:

- ☒ A check in the amount of the fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 13-2166
- A duplicate copy of this sheet is enclosed.

*W. J. M.*  
#22719

*1/16/2001*

**Petition For Revival Of An Application For Patent Abandoned  
Unintentionally Under 37 CFR 1.137(b) (Large Entity)**

Docket No.  
Frank's Int.-007:CP2

In Re Application Of: Donald E. Mosing

**RECEIVED**

JAN 18 2001

Serial No.  
09/206,876

Filing Date  
12/08/98

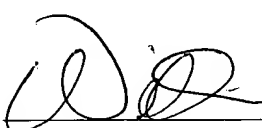
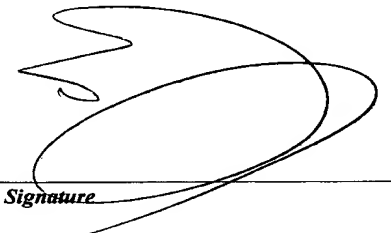
**OFFICE OF PETITIONS**  
Neuder, W.

Group Art Unit  
3672

Invention: Improved Method & Multi-Purpose Apparatus for Dispensing & Circulating Fluid in Wellbore Casing

**Statement**

The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

  
  
Signature

Dated:

1/16/2001

William E. Johnson, Jr.  
Reg. # 22,719  
The Matthews Firm  
1900 West Loop South, Suite 1800  
Houston, Texas 77027  
Telephone: 713-355-4200  
Fax: 713-355-9689

I certify that this document and fee is being deposited  
on with the U.S. Postal Service as  
first class mail under 37 C.F.R. 1.8 and is addressed to the  
Assistant Commissioner for Patents, Washington, D.C.  
20231.

Signature of Person Mailing Correspondence

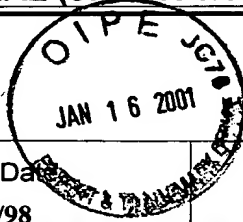
Typed or Printed Name of Person Mailing Correspondence

CC:

**PETITION TO ACCEPT DELAYED PAYMENT OF ISSUE FEE -  
FAILURE TO PAY UNINTENTIONAL (37 CFR 1.155(C) AND 1.316(C))**

Docket No.  
Frank's Int.-007:CP2

In Re Application Of:  
Donald E. Mosing



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JAN 18 2001

**OFFICE OF PETITIONS**

Serial No.  
09/206,876

Filing Date  
12/08/98

Examiner  
Neuder, W.

Group Art Unit  
3672

Invention: **Improved Method & Multi-Purpose Apparatus for Dispensing & Circulating Fluid in Wellbore Casing**

Address to:  
Box DAC  
Assistant Commissioner for Patents  
Washington, D.C. 20231

1. This is a petition to accept delayed payment of issue fee - failure to pay unintentional (37 CFR 1.155(c) and 1.316(c)), which issue fee was due to be paid on June 23, 2001  
(Date)
2. This petition is filed (check (a) or (b)):
  - (a) ☒ within one year of the issue fee due date.
  - (b) ☐ within three months of the date of the first decision in a petition to accept late payment of the issue fee because of unavoidable delay under 37 CFR 1.316(b).

(check appropriate box below, if applicable)

- ☐ the three month period has been extended to \_\_\_\_\_  
(Date)
- ☐ enclosed is a petition and fee for extension of the three month period to \_\_\_\_\_  
(Date)
3. The delay in payment of the issue fee was unintentional.
4. Payment of the issue fee: ☐ has been made. ☒ is enclosed.
5. Type of patent: ☒ utility. ☐ design.
6. Status of applicant(s): ☐ small entity. ☒ large entity.
  - ☐ small entity declaration enclosed.
  - ☐ small entity declaration previously filed.

7. Calculation of fee:

|  |                   |
|--|-------------------|
| Base issue fee:                          | <u>\$1,240.00</u> |
| Petition fee:                            | <u>\$1,240.00</u> |
| Total issue and petition fee to be paid: | <u>\$2,480.00</u> |



**PETITION TO ACCEPT DELAYED PAYMENT OF ISSUE FEE  
FAILURE TO PAY UNINTENTIONAL (37 CFR 1.155(C) AND 1.316(C))**

Docket No.  
Frank's Int.-007:CP2

8. Payment of fee:

A check in the amount of \$2,480.00 is enclosed.

The Commissioner is hereby authorized to charge Deposit Account No.  
in the amount of A duplicate of this petition is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required  
or credit any overpayment to Deposit Account No. 13-2166

9. Verification (check box below if statement that the delayed payment of fee was unintentional is made by a person not registered to practice before the United States Patent and Trademark Office.)

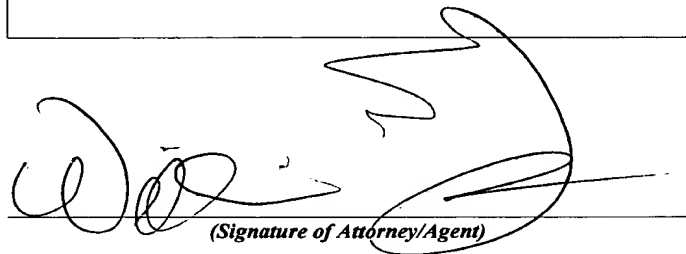
- ☐ I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.



(Signature of Person Making Statement that the Delay in Payment of the  
Issue Fee was Unintentional)

Dated: 1/16/2001

(Printed Name and Address of Person Making Statement)



(Signature of Attorney/Agent)

Dated: 1/16/2001

(Printed Name, Registration Number and Address of Attorney/Agent)

William E. Johnson, Jr.  
Reg. # 22, 719  
The Matthews Firm  
1900 West Loop South, Suite 1800  
Houston, Texas 77027  
Telephone: 713-355-4200  
Fax: 713-355-9689

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Typed or Printed Name of Person Mailing Correspondence